



## HIGHLIGHTS

Page 2  
DISTRICT MEETINGS

Page 3  
COMMISSION CANDIDATES

Page 4  
VP KA ERCHER WRITES  
COUNTY GOVERNMENT  
WEEK

Page 5  
A.G. OPINIONS  
STUDY COMMISSION  
BALLOT TEXT

Page 6  
FY 2004 FOREST RESERVE  
RECEIPTS

Page 7  
COUNTY NEWS

Page 8 & 9  
FUNDING SOURCES  
WORKSHOPS

Page 10 — 12  
NACo LEGISLATIVE  
CONFERENCE

## SUMMIT ON MENTAL HEALTH SERVICES

Close to 100 people gathered in Helena to discuss upcoming changes in the organization of mental health services in Montana.

Keynote and featured speaker was The Honorable Steven Leifman, District Judge, Dade County Florida. He described his massive efforts to inform, train and coordinate a variety of agencies affected by mental health problems in his county. He emphasized diverting mentally ill from jails using coordination with law enforcement and the judicial system.



"Mental health issues affect everybody. Solutions must include a collaborative effort from non-traditional stakeholders," he said.

"THIS IS AN EDUCATION PROCESS—law enforcement, attorneys and judges all need to know about mental health services and how to handle people with these problems."

"The general public traditionally calls law enforcement for help with mentally ill people. If officers are not trained (tone and volume of

voice, personal space, etc.) then the resistance from the person builds and the officer may be attacked, which escalates the problem, rather than diffusing the situation.

Training for law enforcement on handling mentally ill will reduce personal injuries, workers comp. claims, liability challenges, etc."

During the final session of the Summit, an impressive panel gathered to discuss potential legislative recommendations, but the discussion quickly branched out to wider considerations.

Following review from the Legislative Staff and from the Department of Public Health and Human Services regarding pending deadlines and requirements for SB 347, the group asked for another session to further clarify the new law and focus on overall structure and flow of services under new Service Area Authorities.

A follow-up session will be held before the June 1 deadline to relay recommendations to the Legislative Interim Committee. The group suggested that the agenda to include:

1. Review of SB 347
2. What is a Service Area Authority (SAA)?
3. Role of community mental health centers
4. Who provides the safety net of services?
5. Continuing to develop legislative issues

(continued next page)

## ADVERTISERS

Page 2  
MORRISON - MAIERLE

Page 4  
PIPER JAFFRAY

Page 5  
ROSCOE STEEL / CULVERT

Page 6  
JACK HOLSTROM  
JPIA PERSONNEL SERVICES

(MENTAL HEALTH SUMMIT CONTINUED)

# ONE LEGISLATIVE WISH FROM EACH PANELIST

"Others are now realizing the problems. We have had this for many years on the front lines. We need alternative places—buildings other than jails—for those needing help."

Captain Dennis McCave  
Sheriff and Peace Officers Association

"We must keep people out of high cost services (jails, centers, hospitals, etc.) and in the communities, functioning adequately. Pharmaceuticals are a cost effective way to do this."

Dr. Gary Mihelish  
National Association for Mental Illness



"We need a broad umbrella policy, formulated by all stakeholders, which becomes statutory."

Rep. Edith Clark, HD 88

"Outreach or access is missing or limited in rural areas."

Jonathan Windy Boy  
Chippewa Cree Tribe

"We need specialists to work with families."

Cindy Dolan  
Mental Health Association

"We need adequate state wide funding. We have county health nurses. The same model could be considered for mental health."

Leo Gallagher  
County Attorneys Association

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## MARK YOUR CALENDAR

<b>April 1</b>	<b>MACo Land Use Planning Committee</b>
April 2	Subdivision Act Interim Committee
<b>April 6</b>	<b>MACo Taxation/Finance Committee</b>
April 6	Attorney Land Use Roundtable; MACo
<b>April 7-8</b>	<b>JPA Actuarial and JPIA Renewals</b>
April 7-8	Election Judge Training; Great Falls
April 13-15	Road Supervisors Convention; Bozeman
April 13-14	Medicaid Redesign; MACo; 8:00 am
April 20	Cooperating Agency Workshop; Missoula
April 22	Election Judge Training; Deer Lodge
<b>April 26</b>	<b>Districts 6 and 7; Winnett</b>
April 26-30	Magistrates Convention; Butte
<b>April 28</b>	<b>Districts 1, 2 and 3; Glasgow</b>
April 28	Property Tax Exemption Committee
April 28-30	School Superintendents Convention
<b>April 30</b>	<b>Districts 4 and 5; Chester</b>
April 30	Revenue / Transportation Interim Comm.
<b>May 3</b>	<b>Districts 10 and 11; Polson</b>
<b>May 7</b>	<b>Districts 8, 9 and 12; Philipsburg</b>

## MACo DISTRICTS SPRING MEETINGS

District meetings are planned and conducted by the districts. The chairs in the combining districts identify the location for the meeting and the host county arranges a luncheon.

Chairs of each district contact their member counties to ask for agenda items and work with the other chairs to set the agenda for the meeting.

All county officials are invited and encouraged to attend.

### Suggested Agenda Items

Resolutions for upcoming Legislative Session  
Nominations for Second Vice President  
FY '05 MACo Budget and Dues

April 26	Districts 6 & 7; Winnett Petroleum County Courthouse
April 28	Districts 1, 2 & 3; Glasgow
April 30	Districts 4 & 5; Chester
May 3	Districts 10 & 11; Polson Public Health Conference Center 802 South Main
May 7	Districts 8, 9 & 12; Philipsburg

# COUNTY COMMISSIONER CANDIDATES

\* = Incumbent R = Republican D = Democrat NP = Non-partisan I = Independent C = Constitution

## Anaconda-Deer Lodge

\* Russ Bilodeau not filed  
Frank Knadler NP  
Bert Freer NP  
Peter Kurtz NP  
\* Dave Beatty NP  
Joseph Wyant NP  
Linda Sather NP  
\* Paul Beausoliel NP  
David Elias NP  
Robert Tonkovich NP  
Russell Bilodeau NP

## Beaverhead

\* Michael McGinley R

## Big Horn

\* John T. Doyle NP

## Blaine

\* Don Swenson D  
Curtis Clair Moxley D

## Broadwater

\* Steve McCullough NP  
Jack Sangray NP

## Butte-Silver Bow

\* Joe Quilici not filed  
Jim Fay NP  
Bill Willman NP  
\* John Sorich NP  
Bob Kocker NP  
\* Charlie O'Leary NP  
Robert Conklin NP  
\* Paul Babb not filed  
Chuck Krause NP  
Wally Frasz NP  
\* Ristene Hall not filed  
Dave Coleman NP  
Will Steyh NP  
\* Michael Mulcahy NP

## Carbon

\* David Davidson NP  
Renee Shanks NP

## Carter

\* Milton Markuson not filed  
Bill Loehding R

## Cascade

\* Tom Stelling D  
Jim Duckett D  
Tim Locke D  
Les Nilson D  
Charla Merja D  
Pam Mills D  
Zelda Stevenson D  
  
Joe Briggs R  
Brad Dav ey R

## Chouteau

\* Ken Evans R

## Custer

\* Janet Kelly NP  
Jack Nesbit NP  
Bud Peterson NP  
Brian Schoof NP  
Wesley Tibbetts NP

## Daniels

\* Betty Hagfeldt not filed  
Norman Rudd D

## Dawson

\* James Deckert R  
Tim Zody R  
Adam Buxbaum R  
  
Adam Gartner D

## Fallon

\* Roddy Rost D  
Dennis Franks R

## Fergus

\* Vernon Petersen NP  
John Jensen NP  
Joe Foran NP

## Flathead

\* Howard Gipe not filed  
Denise Cofer R  
John Hinchey R  
Paul Holland R  
Allen Sieler R  
Gail Seavy-Mies R  
Joe Brenneman D

## Gallatin

\* Jennifer S. Mitchell not filed  
Joe Skinner R  
Brian Leland R  
Sandra Smiley R  
Jarvis Brown D  
Joyce Schmidt D

## Garfield

\* Brent McRae not filed  
Jerry Coldwell R

## Glacier

\* William Icenoggle R  
Troy Wilson D  
Brandon Sam Lane D  
Michael DesRosier D  
Myrna Galbreath D

## Golden Valley

\* Joan Krause not filed  
Leslie Burroughs R

## Granite

\* Earl Martin R  
A.J. Michnevich R  
Suzanne Browning R  
Richard Lacey R

## Hill

\* Pat Conway not filed  
Mike Anderson D  
Timothy Herron D  
Jeff Lavoie D  
Jody Manuel R  
Wyatt Dahlin I

## Jefferson

\* Sherry Cargill NP  
Keneth Weber NP  
Joan Forcella NP

## Judith Basin

\* Richard Cervenka not filed  
Tucker Hughes R  
Ronald Sherer D

## Lake

\* David Stipe not filed  
Brian Nitschke R  
Paul Tryon R  
Chuck Whitson R  
Jerry Roseleip R  
Wes Rogalski D  
Bill Cordis Sr. D  
Dana Grant D

## Lewis and Clark

\* Mike Murray D  
James McGowan D

## Liberty

\* Russ Tempel R

## Lincoln

\* John Konzen D  
Robert Ferguson C

## Madison

\* David Schulz NP

## McCone

\* Robert Kluth not filed  
Patrick Eggebrecht R  
Dave Boysun R  
Rocky Braaten D

## Meagher

\* Herb Townsend R

## Mineral

\* B. J. McComb D

## Missoula

\* Bill Carey D

## Musselshell

\* Bryan Adolph not filed  
Michael Kilby R  
J. Dallas Teini R

## Park

\* Ed Schilling NP  
Gene Budeski NP  
Edward Hillman NP  
Pete Knutson NP  
Dick Murphy NP  
Don. Holland NP  
Bob Boyd NP  
Steven McCann NP  
\* Edmond Carrell not filed  
Ernest MacCracken NP  
Larry Lahren NP  
Brant Robey NP

## Petroleum

\* Lee Iverson R  
\* Tom Pugrud not filed  
J. Chris King R

## Phillips

\* Carol Kienenberger not filed  
Donald Green R  
Leslie Robinson R  
Gary Baden R  
Tom Boschee D

## Pondera

\* Sam Harris R  
Glen Baker R  
Sandra Broesder R

## Powder River

\* Ray Traub R  
Victor Phillippi R  
Lyman Amsden I

## Powell

\* Tom Hatch not filed  
John Davis R  
Ralph Mannix R

## Prairie

\* Bill Leach R

## Ravalli

\* Alan Thompson R  
A. V. Ivanoff R  
Phyllis Bookbinder D

## Richland

\* Mark Rehbein R  
Ron Trevost D  
John Redman D

## Roosevelt

\* Ferris Toavs D  
Vickie Delger D

## Rosebud

\* Dan Watson D  
Bob Nansel R

## Sanders

\* Justin Gail Patton R  
Nancy Beech D  
Ron Olfert D  
Cathy Baker D

## Sheridan

\* Bill Nyby R

## Stillwater

\* Cliff Bare D  
Donald Arthun R  
Dennis Hoyem R

## Sweet Grass

\*Tom Hammersmark not filed  
Philip Hathaway R

## Teton

\* Mary Sexton not filed  
Pete Rasmussen R  
Joseph Dellwo D

## Toole

\* Allan Underdal R  
Hank Zeil R

## Treasure

\* Roger Knapp not filed  
Marlo Moehr R

## Valley

\* Dave Reinhardt R  
Kimberly Lacey R  
Tim Potter D

## Wheatland

\* David Miller D

## Wibaux

\* Tom Nelson R  
Leif Bakken R

## Yellowstone

\* Jim Reno R  
S. Joe Burst R  
Laris Roberts D

**COUNTY GOVERNMENT WORKS  
MACo FIRST VICE PRESIDENT  
DOUG KAERCHER, HILL COUNTY**

Over the past 12-14 years local government's tax base has dwindled. The Federal Government is looking at the largest deficit in history. Almost every state has some kind of deficit issue (including Montana with a reportedly \$500 million deficit to overcome in the 2005 legislature). Cities and towns seem to get by with non-levied tax dollars such as gambling and alcohol taxes.

My mom once told me "it is not how much money you make, but what you do with the money you make". Counties and commissioners apparently have learned that same lesson. It is time to point out that counties have done a tremendous job at juggling their responsibilities to the taxpayers and providing services while tax bases erode. Some of these roles, functions and powers have occurred as a result of policy choice. Additional problems have increased due to community expectations, devolution and prescription through legislation and regulations by state government. Counties continue to supply quality services, mandated or not, by ensuring safety and justice, planning for infrastructure and services, protecting the public health and ensuring that basic human needs are met.

Local governments are in touch with their communities. For them it is easier to provide that diverse, sophisticated and complex range of services across a full spectrum of infrastructure. All levels of government are vital to the achievement of creating these visions. However, it appears local county governments have a clearer vision of fiscal responsibility in balancing their budgets.

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Gordon E. Hoven  
Montana Public Finance  
406 443-4958



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**NATIONAL  
COUNTY GOVERNMENT  
WEEK**

**APRIL 18-24**

**Counties Move America's  
People and Products**

National County Government Week is a week-long opportunity to showcase your county and help improve the public's understanding of what county governments do.

**MONTANA COUNTIES  
MOVE**

**MONTANA'S PEOPLE AND PRODUCTS**

- \*\* Discuss the county roads and bridges
- \*\* Talk about the recent improvements to the local airport, or the county's support of public transportation for senior citizens or special groups.
- \*\* Emphasize the increased safety standards your county is applying to local roadways to ensure that fewer people are in accidents.
- \*\* Stress importance of the reauthorization of federal funding for local transportation systems.

Your county can celebrate by holding open houses at county facilities, visiting schools to talk about county government, speaking to business groups, recognizing volunteers, publicizing special projects and/or issuing a proclamation.

Involve your local media. Be sure to emphasize that this effort is conducted annually by over 1,000 counties across the country to let citizens know what services are provided, how the government is organized and how local tax dollars are spent.

For more ideas on how your county can participate in National County Government Week, visit [www.naco.org](http://www.naco.org)



## Attorney General OPINION

Volume 50 No. 4

Question: 1. Was the Department of Public Health and Human Services required either to adopt an administrative rule or obtain legislative authorization to institute a centralized intake system for the reporting of child abuse and neglect?

2. Can the Department of Public Health and Human Services lawfully refuse to receive reports of child abuse or neglect at local Department offices?

Held: 1. The creation of the Central Intake system is well within the authority granted to the Department of Public Health and Human Services by the Legislature in MCA § 41-3-202(1).

2. The administrative decision by the Department of Public Health and Human Services to establish the Central Intake system implements, interprets or prescribes law or policy. It is a "rule" for the purposes of the Montana Administrative Procedures Act (MAPA). Thus the notice and hearing requirements of MAPA should have been followed prior to its implementation.

3. There are no "local affiliates" of the Department of Public Health and Human Services. As a result, MCA § 41-3-201(1) should be read to require the reporting of child abuse or neglect to the Department, a requirement which is clearly satisfied by the reporting of child abuse or neglect to the Centralized Intake Bureau.

Requested by: Michael Grayson  
Anaconda-Deer Lodge County Attorney

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Missoula, MT 59802



## Attorney General OPINION

Volume 50 No. 5

Question: May a question of establishing a study commission pursuant to MCA 7-3-175 also provide for a mill levy to support the study?

Held: In an election on the question of establishing a local government study commission, a local government may not combine a mill levy question with the study commission question, because the combined questions do not "substantially" conform to the statutory form required by MCA 7-3-175.

Requested by: Michael Grayson  
Anaconda-Deer Lodge County Attorney

### SAMPLE BALLOT WORDING

For use in June primary election

#### ESTABLISHING A STUDY COMMISSION

( ) FOR the review of the government of \_\_\_\_\_ County, the establishment of a local government study commission consisting of (insert minimum of three) members to examine the government of \_\_\_\_\_ County and submit recommendations thereon.

( ) AGAINST the review of the government of \_\_\_\_\_ County and the establishment of a local government study commission.

#### FUNDING A STUDY COMMISSION

( ) FOR the specific purpose of funding the study commission in an amount not to exceed \$\_\_\_\_\_ or approximately (number of mills) mill in FY 2005 (tax year 2004) and an amount not to exceed \$\_\_\_\_\_ or approximately (number of mills) mills in FY 2006 (tax year 2005) for purposes of funding the study.

( ) AGAINST the specific purpose of funding the study commission in an amount not to exceed \$\_\_\_\_\_ or approximately (number of mills) mill in FY 2005 (tax year 2004) and an amount not to exceed \$\_\_\_\_\_ or approximately (number of mills) mills in FY 2006 (tax year 2005) for purposes of funding the study.

## THE DIRTY DOZEN

Reprinted with permission from  
Montana Contractors News, Volume 17, Number 1

The most commonly cited OSHA violations for construction are:

1. Failed to have a person certified in First Aid on the job site 1926.50 (c)
2. Failed to conspicuously post emergency phone numbers on job site 1926.50 (f)
3. Failed to provide a permanent continuous path to ground from circuits, equipment and enclosures 1926.404 (f) (6)
4. Failed to use approved containers for storage of flammable and combustible liquids 1926.152 (a) (1)
5. Not having GVCIs or an Assured Grounding Program 1926.404 (b) (1) (i)
6. Not using personal protective equipment 1926.28 (a)
7. Failed to keep employee from working in proximity to energized circuits that could be accidentally contacted 1926.416 (a) (1)
8. Failed to have or maintain Material Safety Data Sheets (MSDS) 1926.59 (g) (1)
9. Failed to equip stairs with guardrails 1926.500 (e) (1) (iv)
10. Failed to equip all bi-directional machines (compactors, loaders, dozers, etc.) with horn distinguishable from surrounding noise level 1926.602 (a) (9) (i)
11. Failed to provide rails or guarding on platforms/floors that subject worker to six foot or more fall 1926.500 (d) (1)
12. Failed to develop / implement written Hazard Communications Program 1926.59 (e) (1)

**If you were inspected today, would you be guilty of any one of these?** Proposed penalties are as high as \$50,000, with many in the \$5,000 to \$10,000 range. There is no insurance that will cover these penalties.

from "Construction Safety Talks", #41

### MACo JPIA

Property and Casualty Insurance for Public Entities

## Personnel Services

**Jack Holstrom**

Attorney at Law

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macops@maco.cog.mt.us

## FY 2004 FOREST RESERVE RECEIPTS

ANACONDA-DEER LODGE	\$44,538
BEAVERHEAD	\$209,461
BROADWATER	\$82,049
BUTTE-SILVER BOW	\$51,668
CARBON	\$64,275
CARTER	\$13,950
CASCADE	\$47,948
CHOUTEAU	\$8,267
FERGUS	\$25,524
FLATHEAD	\$1,530,815
GALLATIN	\$111,603
GLACIER	\$7,647
GOLDEN VALLEY	\$6,407
GRANITE	\$417,993
JEFFERSON	\$184,041
JUDITH BASIN	\$79,775
LAKE	\$122,143
LEWIS & CLARK	\$430,909
LINCOLN	\$5,772,436
MADISON	\$144,258
MEAGHER	\$136,300
MINERAL	\$730,790
MISSOULA	\$718,287
PARK	\$147,873
PONDERA	\$28,624
POWDER RIVER	\$53,115
POWELL	\$464,908
RAVALLI	\$368,288
ROSEBUD	\$14,984
SANDERS	\$1,660,605
STILLWATER	\$29,037
SWEET GRASS	\$50,221
TETON	\$63,035
WHEATLAND	\$17,050

# COUNTY NEWS

## ELECTED OFFICIAL CHANGE

**GRANITE COUNTY** Justice of Peace Melody Gessele resigned her position. A replacement has not yet been appointed.

## MAIL BALLOTS / SURVEYS

**PARK COUNTY** mail ballot for an ambulance mill levy increase passed by 300 votes.

**SANDERS COUNTY** awarded three \$100 donated gift certificates for returning a recent survey to gather information to use in applying for federally funded grants and loans.

## SUBDIVISION

**STILLWATER COUNTY** had one of its largest public attendance for a recent subdivision hearing. 140 people gathered in a high-school gym to hear about a proposal for 59 one-acre lots and an 8 acre park. As a result of the hearing, the proposal was amended to 30 lots varying from one to five acres.

## SELLING A NAME

**YELLOWSTONE COUNTY** is considering proposals for purchasing the naming rights for its MetraPark Arena. The naming agreement could include perks such as VIP parking, tours, the use of a conference room, and invitations to events. The County hopes to secure a multi-year agreement.

## MUSEUMS

**PRAIRIE COUNTY** Commission agreed to pay 80% of the County Museum's aged and faulty roof. The museum is housed in a former bank building which was donated to the County in 1975.

**RICHLAND COUNTY** helps fund two museums. The MonDak Heritage Center is unable to cover expenses and asked the Commission for a higher level of funding. They have already raised membership rates and admission fees.

**POWELL COUNTY** Museum is hoping to save an historic ranch. Montana Department of Natural Resources purchased the property in 1930's as part of an irrigation project and now plans to sell the structures for moving and demolish those that don't sell.

## WAGE NEGOTIATIONS

**CUSTER COUNTY** union employees are at an impasse since August in efforts to negotiate wage increases. A union flyer released to the public and press was not accurate, according to the County Commission Chair.

## SOLID WASTE

**PARK COUNTY** continues to debate the decision to close its trash incinerator and move garbage out of the county. Concerned citizens are petitioning for a vote on the issue.

## WATER

**GALLATIN COUNTY** plans to create an emergency zoning district in an area that has been plagued by decline in groundwater levels, forcing some landowners to deepen wells. The emergency district will last for one year, although the county can extend it if necessary.

**BEAVERHEAD COUNTY** will receive a water supply system from the Union Pacific Railroad. The system has several dwellings which were hooked up when residents were railroad employees. A users group will be formed for financing and maintaining the system.

## WIND

**CASCADE COUNTY** approved a commercial development for wind power. The six wind turbines will generate power to be sold to Idaho Power Company, after the Idaho Public Utilities Commission approves the agreement.

**LIBERTY COUNTY** demonstrated its new tilt-down wind turbine and energy tracking equipment during an open house at the County Shop. A regular meter measures current energy use and a second meter measures excess energy not used in the shop, which is then subtracted from the County's energy bill.

## MACRS

Annual Conference  
April 13, 14, 15  
GranTree Inn  
Bozeman

Agenda includes political issues, road inventories, weed control, safety audits, road law, labor issues, contracts, plan reading, summer heat survival, construction partnerships.

## FOR SALE

Bruning **Copyflex Machine**, Model 50  
(used for printing plat maps)  
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Machine is in good working condition.  
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call Glacier County Commission  
Bill Icenoggle, Chair  
(406)873-5063, Ext. 13

## COMMUNITY DEVELOPMENT BLOCK GRANTS (CDBG)

Community Development Block Grant (CDBG) **Planning Grant** applications are due **April 23**. CDBG Housing and Public Facility grants applications, due in 2004, will be funded in 2005. **Public Facility Grant** applications are due **May 28** and **Housing Grant** applications are due **November 19**.

More information is at  
[www.commerce.state.mt.us/CDD/CDD](http://www.commerce.state.mt.us/CDD/CDD) or  
Joanne Gilbert, 841-2791 or [jjgilbert@state.mt.us](mailto:jjgilbert@state.mt.us)

## TREASURE STATE ENDOWMENT PROGRAM GRANTS

The Treasure State Endowment Program (TSEP) is designed to help local governments with constructing or upgrading drinking water systems, wastewater treatment facilities, sanitary or storm sewer systems, solid waste disposal and separation systems, and bridges. Approximately \$16 Million will be available for TSEP construction grants. May 7, 2004 is the deadline for submitting construction applications. Applications for preliminary engineering and emergency grants will be accepted at any time, until there are no more funds available.

More information is available from:  
Montana Department of Commerce,  
[http://commerce.state.mt.us/CDD/CDD\\_TSEP.html](http://commerce.state.mt.us/CDD/CDD_TSEP.html)  
or from Jim Edgcomb at 841-2770 or  
[jedgcomb@state.mt.us](mailto:jedgcomb@state.mt.us)



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[www.uscommunities.org](http://www.uscommunities.org)

## WASTEWATER MANAGEMENT TRAINING

May 5-6  
Polson

Topics include summaries on growth trends and water quality status; nutrients and biologicals from wastewater; EPA's five management models; Montana options and examples of wastewater treatment systems for individual or small community systems.

The sessions are sponsored by Lake County Environmental Health and Planning Department, Confederated Salish and Kootenai Tribes Natural Resources Department, Missoula City-County Environmental Health Department, and Rowland Environmental Consulting, Inc. Contact Sue Brueggeman at 883-7236 or [susan.envhealth@lakecounty-mt.org](mailto:susan.envhealth@lakecounty-mt.org)

## GEOGRAPHIC INFORMATION SYSTEMS (GIS) CONFERENCE

The 2004 Intermountain GIS Conference, is centered in the theme "GIS -- Tools of Discovery" and will link the Bicentennial of the Lewis and Clark Expedition to modern day geo-spatial technologies. Ralph Ehrenberg, past director of the Library of Congress Map Division, will be a keynote speaker on the mapping methods and instruments used by Lewis and Clark. Former Wyoming Governor Jim Geringer, nationally acclaimed advocate of GIS technology and its critical role in formulating and implementing sound public policy, will also be featured.

The exciting week-long program will be held April 19-23, 2004 at the Sheraton Hotel in the heart of downtown Billings. The conference is sponsored by the Montana GIS Users Group and the Northern Rockies Chapter of URISA,

The gathering will feature a variety of presentations, plus pre- and post-conference workshops. We look forward to seeing you at what promises to be an exciting and informative conference.

Submitted by Bob Holliday  
Montana Geographic Information Systems Bureau



## LOCAL FIRE PROTECTION MONEY AVAILABLE

The Montana Department of Natural Resources and Conservation (DNRC) announced that applications for the 2004 VFA/RFA Grant Program are now being accepted. Applications for matching funds through the federally funded, Title IV, Volunteer Fire Assistance (VFA) program (U.S. Forest Service) and the Rural Fire Assistance (RFA) program (U.S. Department of Interior agencies - Bureau of Land Management, Fish & Wildlife Service and Bureau of Indian Affairs) are **due April 26, 2004**. The cost share money is available to defray up to ninety-percent of the cost of improving local fire protection. According to Michael Wiederhold, Rural Fire Program Coordinator with DNRC's Forestry Division, single applications representing countywide fire organizations are required. Eligible applicants to be included are: fire departments, rural fire districts, fire service areas, volunteer fire companies or other fire service organizations in communities with populations of 10,000 or less. The maximum grant amount for a single applicant is \$20,000. The single applications for a group of communities, i.e., countywide fire councils, countywide fire departments, etc., may have a total population of over 10,000.

The funding for the year 2004 VFA and RFA program is anticipated to be approximately \$600,000.00 and applications can be submitted for projects such as department or district organization and planning; fire prevention; fire training and fire equipment.

In 2003, this grant program received 74 applications requesting \$2.2 million dollars in funding. Seventy-four grants were awarded, totaling the \$1.2 million received from the Forest Service and other interior agencies. Construction or improvement of fire stations for housing fire equipment, normal operational expenses and maintenance do not qualify for VFA/RFA funds.

Details are available by contacting your local DNRC office, by calling (406) 542-4206, or on the Internet at: [www.dnrc.state.mt.us/forestry/dnrcfiresite/volfire.htm](http://www.dnrc.state.mt.us/forestry/dnrcfiresite/volfire.htm).

## DNRC GRANT AND LOAN PROGRAMS

The Montana Department of Natural Resources and Conservation (DNRC) is accepting applications for grants and loans through two programs designed to promote the conservation, development, and reclamation of natural resources.

The **Reclamation and Development Grants Program** offers grants of up to \$300,000 for projects that repair, reclaim or mitigate the effects of past mineral development and promote natural resource projects that benefit Montana. Examples of projects funded last grant cycle include groundwater monitoring of Coal Bed Methane (CBM) activities in the Powder River watershed; the Drumlummon/Goldsil Mine waste cleanup in Lewis & Clark County; Washington Mine and Millsite reclamation in Jefferson County; hazardous waste cleanup in Powell County; groundwater aquifer restoration in Fergus County; and plugging 29 abandoned oil and gas wells located in Toole, Glacier, Stillwater, Teton, Musselshell, Yellowstone, Pondera, and Wheatland Counties.

The **Renewable Resource Grant and Loan Program** offers grants of up to \$100,000 and low-interest loans up to the amount a community can repay. Renewable resource projects include water conservation, water quality, forestry, air quality, and waste management. Examples of projects funded in the last funding cycle include Lewis & Clark County Water Quality Protection District for a groundwater sustainability study; Missoula County's Mill Creek Irrigation District for the rehabilitation of Mill Creek Dam; Phillips County Malta Irrigation District for the replacement of check structures.

Both programs also fund reclamation and renewable resource projects for research, demonstration, planning and preliminary engineering.

Any division of state, county, city, tribal or local political subdivision is eligible to apply. The application **deadline is May 15, 2004**. All grant and loan requests will be submitted to the 2005 Montana Legislature. Application forms for both programs are found at 1) <http://www.dnrc.state.mt.us/cardd/cardd.html> or 2) the DNRC Conservation Resource Development Bureau, PO Box 201601, Helena MT 59620-1601 or 3) 444-6668.

## 2004 NACO LEGISLATIVE CONFERENCE

### County planning and development being redefined by 'micropolitans'

Robert Lang, Ph. D., told delegates at Sunday's Opening General Session that county planning and development across the country is being redefined by newly-defined geographical areas called "micropolitans." These are cities with populations between 10,000 and 50,000, and if a county has one, that county is also defined as micropolitan. "A lot of people who are living in micropolitan areas don't know they're living in micropolitan areas," said Lang, adding that former rural areas that now have a Wal-Mart and a ramp to an interstate are "probably in a micropolitan area."

### Homeland Security Secretary Tom Ridge unveils new plan to ease and integrate communications between all levels of government

Department of Homeland Security Secretary Tom Ridge announced the approval of the National Incident Management System (NIMS), the nation's first standardized management plan that creates a unified chain of command for federal, state and local lines of government for incident response. "NIMS gives all of our nation's first responders the same framework for incident management and fully puts into practice the concept of 'One mission, one team, one fight,'" Ridge said.

### EPA Administrator Mike Leavitt introduces NACO Energy STAR® Courthouse Campaign

The ENERGY STAR Courthouse Campaign seeks to challenge counties to increase the energy efficiency of county facilities, Leavitt told delegates at Monday's general session. When counties join the ENERGY STAR campaign, they will receive tools to help assess the energy performance of county-owned buildings, integrate ENERGY STAR into an existing or new energy management plan and implement energy efficiency improvements.

### Secretary of Transportation highlights economic benefits of new transportation bill

Secretary of Transportation Norman Mineta characterized the Administration's six-year \$256 billion surface transportation bill as "fiscally responsible" and crucial to the nation's economy and job growth. The proposal's "benefits will determine economic prosperity and jobs in your community 10, 20, 50 years from now," Mineta said.

### Rural Economic Development

Farm subsidies are affecting rural economic development and the federal budget. Beyond farm subsidies, it is unlikely that Congress will provide any significant funding for rural development efforts in the future. That was the unhappy news participants heard at the rural economic development workshop. Better news came from Cynthia Stewart of the International Council of Shopping Centers (ICSC). Stewart highlighted the ICSC Alliance with NACO which helps bring together county officials and retailer/commercial interests to effect economic development in secondary, rural markets.



The National Association of Counties (in partnership with Nationwide Retirement Solutions and state associations of counties) provides this Section 457 Deferred Compensation Program.

### Better than the Competition

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- **LARGEST 457 RETIREMENT PROGRAM** available to county employees, with exceeding \$6.0 billion.

## Community & Economic Development Steering Committee

By Anita L. Varone, Lewis and Clark County

The responsibility of this Steering Committee is to develop NACo policy on affordable housing as well as community and economic development. Particular emphasis is on advocating for funding for federal programs such as the Community Development Block Grant Program and the HOME Investment Partnerships program. The committee also works to refine the role of federal, state and county governments in enhancing economic development opportunities and creating housing options for different populations.

The Committee reviewed and supported six proposed resolutions, one for economic development and five for housing.

The economic development resolution supports the concept of regional economic development commissions, which would facilitate a comprehensive approach to economic and infrastructure development in severely distressed counties, provided the funding would not be deducted from current economic development programs. While I agreed with the concept, the northwestern states were omitted from the four regions and, as a result, voted no to the proposal. The Committee indicated they would look into including either a fifth Commission or incorporate the northwestern United States into another region.

The five housing resolutions are:

- 1) To urge Congress to support HUD's Affordable Communities Initiative, which seeks a) to remove burdensome building codes, design review or approval processes that are duplicative or time-consuming; b) remove rehabilitation codes and zoning ordinances that are restrictive and exclusionary; c) target fees and taxes deemed unnecessary or excessive, environmental standards labeled as extreme, and excessive land development standards;
- 2) To urge Congress to enact an affordable housing preservation tax incentive;
- 3) To support the Bush Administration regarding regulation of government sponsored enterprises (Fannie Mae and Freddie Mac) by transferring that aspect of the regulatory regime to ensure financial safety and soundness of government sponsored enterprises;
- 4) To urge Congress to reauthorize HUD's Office of Multifamily Housing Assistance restructuring, and;
- 5) To support HUD's FY2005 appropriations.

## Transportation Steering Committee

By Vern Petersen, Fergus County

In the Highway/Highway Safety Subcommittee the main topic was the renewal efforts on TEA 21. The Senate has passed SB1012, SAFETEA, with a Highway funding level of \$255 billion over six years and \$56 billion for transit. This would mean an increase for us of about 43%, which is very good. The House, however, has much left to do. Their bill, HR 3550 TEA-LU, was submitted at \$375 billion over six years.

The Administration likes neither bill and threatens veto.

There is also talk of a two-year bill. That is scary. Transportation projects are all long term. We can't expect contractors, consultants and DOTs to be ramping up and ramping down on short cycles. We must have a stable, long-term program that allows for efficiency operations

### WE NEED TO INSIST ON A SIX-YEAR BILL!

In Senate Bill 1072, there is a section that we must get removed. Section 1501 adds what is termed "Invasive Species" to the environmental planning considerations and Section 1601 makes that eligible for federal funding. "Invasive Species" is defined broadly as any organism that is non-native and **could** cause harm to the environment. One person said, "If you enjoyed the Endangered Species Act and habitat and wetlands mitigation legislation, then you will be ecstatic with Invasive Species." We simply can't afford more radical, non-productive environmental hurdles to delay and/or stop projects.

The Transportation Committee adopted two resolutions. One is to address metropolitan congestion, HR 3611, by Representative Eddie Johnson of Texas. The other is to support the Rural Transportation Act, a bill introduced by Representative Bob Ney of Ohio, HR3743. This would very much help Montana counties in raising the minimum off-system bridge funding from 15% to 25%. These are the bridges over 20 feet not in the federal aid system. Over 33% of these 283,000 bridges are rated as deficient. This bill also raises the funding for LTAP to \$20 million annually. We can support HR 3611, which won't hurt us in return for their support for 3743.

In closing, if you like clean air, clean water and good roads, please contact Senator Baucus, Senator Burns and Representative Rehberg and ask them to leave the planning provisions of 23 USC, Section 134 and 135, in the current form without amendments and also not to adopt the funding eligibility changes in Section 1601 of SB1072. Please ask Representative Rehberg to support the provisions of HR 3743 either as a bill or as an amendment to HR 3550.

## 2004 NACO LEGISLATIVE CONFERENCE



L—R Front Row: Bill Kennedy, Yellowstone; Connie Eissinger, McCone; Carol Brooker, Sanders; U. S. Senator Max Baucus; Vern Petersen, Fergus; Kathy Bessette, Hill; Peggy Beltrone, Cascade; U. S. Sen. Conrad Burns; Anita Varone, Lewis & Clark  
L—R Back Row: Alan Thompson, Ravalli; Allan Underdal, Toole; Art Kleinjan, Blaine; Doug Kaercher, Hill; Donna Sevalstad, Beaverhead; Gary Fjelstad, Rosebud; Mike Murray, Lewis & Clark



### MACo News

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THE 20TH OF EACH MONTH**

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